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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,452	03/15/2004	Ajit Gaunekar	P/4076-72	3239
2352	7590	12/06/2006	EXAMINER	
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			CHANG, RICK KILTAE	
			ART UNIT	PAPER NUMBER
			3726	

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/801,452

Applicant(s)

GAUNEKAR ET AL.

Examiner

Rick K. Chang

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3729 3716

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 15-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I in the reply filed on 9/12/06 is acknowledged. The traversal is on the ground(s) that the amendment to claim 15 renders the restriction inaccurate. This is not found persuasive because the process as claimed can be practiced by another and materially different apparatus such as one that uses a stepper motor.

The requirement is still deemed proper and is therefore made FINAL.

Specification

2. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

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The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract of the disclosure is objected to because the inclusion of "and method" in line 3, which does not conform to the election made on 9/12/06. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The inconsistency between the language in the preamble "ejector system" and certain portions of the body of the claim such as "a die, an adhesive surface, a die pick-up device" renders the scope of the claim vague and indefinite because it is unclear if the intent is to claim either the subcombination of the "ejector system" alone or the combination of the "ejector system" and "a die, an adhesive surface, a die pick-up device". The applicant is asked to please clarify what subject matter the claim is intended to be drawn to, i.e., the subcombination alone or the combination, where the language of the claim is to be amended to be consistent with this intent. The reader understands that the applicants intended to claim the subcombination.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Safabakhsh et al (US 4,990,051).

Safabakhsh discloses an ejector tool (tip of 39 facing 42); a shaft (39); a linear motor (col. 4, line 60; a forcer and a stator are inherent); the linear motor is a cylindrically-shaped (32 is circle).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safabakhsh et al (US 4,990,051) in view of Fujiwara et al (US 5,160,877).

Safabakhsh fails to disclose coils and permanent magnets.

Fujiwara discloses coils (24a-24d) and permanent magnets (51-54 and 61-64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safabakhsh by providing coils and permanent magnets, as taught by Fujiwara, for the purpose of efficiently moving a shaft in a linear motor.

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11. Claims 4-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safabakhsh et al (US 4,990,051) in view of Pan et al (US 5,492,313).

Safabakhsh fails to disclose first and second flexure bearings positioned opposite sides, a flexing direction and a pushing force are aligned, flexing portions, spacers, , a flexible disc, and regularly-shaped slots with polar symmetry.

Pan discloses first and second flexure bearings positioned opposite sides (col. 5, lines 54-67 and col. 6, lines 1-5), a flexing direction and a pushing force are aligned (col. 5, lines 54-67 and col. 6, lines 1-5), flexing portions (22), spacers (24 and 26), a flexible disc (22), and regularly-shaped slots with polar symmetry (30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safabakhsh by providing first and second flexure bearings positioned opposite sides, a flexing direction and a pushing force are aligned, flexing portions, spacers, , a flexible disc, and regularly-shaped slots with polar symmetry, as taught by Pan, for the purpose of providing improved radial stiffness, low axial stiffness and increased fatigue strength than a ball bearings.

12. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safabakhsh et al (US 4,990,051) in view of Arao et al (US 4,964,211).

Safabakhsh fails to disclose a force sensor.

Arao discloses a force sensor (3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safabakhsh by providing a force sensor, as taught by Arao, for the purpose of preventing damage to the component by applying too much force.

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13. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safabakhsh et al (US 4,990,051) in view of Mutschler et al (US 4,472,668).

Safabakhsh fails to disclose a position sensor.

Mutschler discloses a position sensor (169).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Safabakhsh by providing a position sensor, as taught by Mutschler, for the purpose of determining the position of the ejector tool in relation to the pick-up tool.

Conclusion

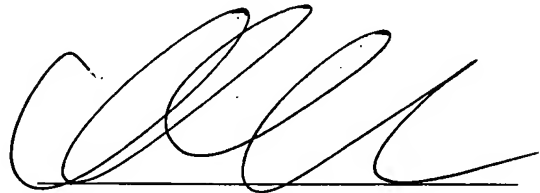
14. **Please provide reference numerals (either in parentheses next to the claimed limitation or in a table format with one column listing the claimed limitation and another column listing corresponding reference numerals in the remark section of the response to the Office Action) to all the claimed limitations as well as support in the disclosure for better clarity (optional). Applicants are duly reminded that a full and proper response to this Office Action that includes any amendment to the claims and specification of the application as originally filed requires that the applicant point out the support for any amendment made to the disclosure, including the claims. See 37 CFR 1.111 and MPEP 2163.06.**

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rick K. Chang whose telephone number is (571) 272-4564. The examiner can normally be reached on 5:30 AM to 1:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David P. Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above the printed name.

RICHARD CHANG
PRIMARY EXAMINER

RC
November 20, 2006